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S. 1051

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 1955

Mr. ELLENDER (by request) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 8a (4) of the Commodity Exchange Act,
as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8a (4) of the Commodity Exchange Act, as
4 amended (7 U. S. C. 12a (4)), is amended to read as
5 follows:

6 “(4) to fix and establish from time to time reason-
7 able fees and charges for registrations and renewals
8 thereof and for copies of registration certificates; and”.

A BILL

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Exchange Act, as amended.

By Mr. ELLENDER

FEBRUARY 11, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 3, 1955
For actions of March 2, 1955
84th-1st, No. 38

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HOUSE

1. SOIL CONSERVATION. Passed without amendment H. R. 1573, to repeal Sec. 348 of the Agricultural Adjustment Act of 1938, which makes ACP payments contingent upon compliance with acreage allotments on basic crops (pp. 1967-9, 1974-9).
2. RICE. Both Houses received from this Department a report on the study of various two-price systems of price support and marketing which could be made applicable to rice, pursuant to section 315, Public Law 690, 83rd Congress; to H. Agriculture and S. Agriculture and Forestry Committees (pp. 1935-6, 1986).
3. HOUSING LOANS. Passed without amendment S. J. Res. 42, to increase by .15 billion the mortgage insurance authority of the Federal Housing Administration (pp. 1966, 1969-74). This bill will now be sent to the President.
4. FARM PROGRAM. Rep. Patman inserted excerpts from his weekly letters during January and February, including views on price supports and help for the family-size farm (pp. 1980-3).

5. WATER RESOURCES. The Subcommittee on Territories approved for reporting with amendments to the Interior and Insular Affairs Committee H. R. 3990, to authorize the Secretary of the Interior to investigate and report to the Congress on projects for the conservation, development, and utilization of the water resources of Alaska (p. D156).
6. SURPLUS PROPERTY. Received from the Federal Civil Defense Administration a proposed bill "to amend further the Federal Property and Administrative Services Act of 1949, as amended, to authorize the disposal of surplus property for civil defense purposes;" to Government Operations Committee (pp. 1986-7).
7. STATEHOOD. Received memorials from the Mass. Legislature urging statehood for Alaska and Hawaii (p. 1988).
8. FOREIGN TRADE; COTTON. The Legislative Reporting Staff has available for lending purposes copies of a committee print issued by the International Operations Subcommittee, House Government Operations Committee, "Report on Procurement of American Cotton by Spain."
9. TRANSPORTATION. H. Rept. 80 (see Digest No. 36), by the Merchant Marine and Fisheries Committee, makes the following recommendations in connection with administration of the Cargo Preference Act:
 - "1. Government agencies should discontinue the practice of permitting representatives of foreign governments to arrange for shipments of that cargo which is subject to the limitations of the Cargo Preference Act.
 - "2. The General Services Administration should immediately assume the responsibility placed upon it by law and centralize in one agency the function of transportation and traffic management. (See sec. 201 (a) of the Federal Property and Administrative Services Act of 1949.)
 - "3. Procedures should be established under which each of the executive agencies administering export or import programs shall exchange information and so plan their activities in the transportation field as to effect a more economical operation and a more effective administration of the Cargo Preference Act.
 - "4. The Maritime Administrator should undertake to publish rates for the guidance of the agency arranging cargo shipments in determining from time to time whether United States-flag ships are available at fair and reasonable rates for United States-flag commercial vessels.
 - "5. Liner services should be utilized to the extent practicable.
 - "6. Consideration should be given to the execution of consecutive charters and other similar arrangements designed to secure lower transportation rates for Government shipments.
 - "7. The Maritime Administration should exercise general surveillance over the administration and operation of the Cargo Preference Act and report to the Congress periodically with respect thereto.
 - "8. The Secretary of State should take all action necessary and appropriate to maintain the national policy of the United States as reflected in the Cargo Preference Act in our relations with foreign nations."
10. COMMODITY EXCHANGES; ~~FAR CREDIT~~; ~~SURPLUS COMMODITIES~~. The Agriculture and Forestry Committee reported without amendment S. 1051, to authorize increased CMA registration and renewal of certificates fees (S. Rept. 39); ~~S. 941~~, to

SENATE

COMMODITY EXCHANGE ACT REGISTRATION FEES

MARCH 2, 1955.—Ordered to be printed

MR. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 1051]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1051) to amend section 8a (4) of the Commodity Exchange Act, as amended, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, which would remove the limit of \$10 on fees for registration of commission merchants and floor brokers, is identical to S. 3207 which was passed by the Senate (but not the House) late last session. The letter from the Department of Agriculture requesting this legislation is attached.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 4, 1955.

The honorable the PRESIDENT OF THE SENATE.

DEAR MR. PRESIDENT: Transmitted herewith, for the consideration of the Congress, is a proposed bill to amend section 8a (4) of the Commodity Exchange Act, as amended, so as to authorize the Secretary of Agriculture to fix and establish reasonable fees for registration, renewals, and copies of registration certificates issued to futures commission merchants and floor brokers.

The present language of section 8a (4), enacted in 1936, authorizes a maximum registration fee of \$10, which is insufficient to recover the aggregate cost of registration activities under the Commodity Exchange Act. The proposed amendment would enable the Department of Agriculture to establish a schedule of fees and charges which, taking into account the value to the registrant and with due regard to the public interest, would recover to the fullest extent possible the aggregate cost of registration activities. Under present conditions it is anticipated that such an increase in fees would result in additional receipts of approximately \$11,000 annually.

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation to the Congress for its consideration.

A similar letter is being sent to the Speaker of the House of Representatives.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 8A OF THE COMMODITY EXCHANGE ACT

SEC. 8a. The Secretary of Agriculture is authorized—

(1) to register futures commission merchants and floor brokers upon application in accordance with rules and regulations and in form and manner to be prescribed by the Secretary of Agriculture; and

(2) to refuse to register any person if such person has violated any of the provisions of this Act or any of the rules or regulations promulgated by the Secretary of Agriculture hereunder for which the registration of such person has been suspended (and the period of such suspension shall not have expired) or has been revoked; and

(3) to suspend or revoke the registration of any futures commission merchant who shall knowingly accept any order for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market from any person if such person has been denied trading privileges on any contract market by order of the Secretary of Agriculture under the provisions of paragraph (b) of section 6 of this Act and the period of denial specified in such order shall not have expired; and

(4) to fix and establish from time to time *reasonable* fees and charges for registrations and renewals thereof and for copies of registration certificates [not to exceed \$10 for each such registration, renewal, or copy]; and

(5) to make and promulgate such rules and regulations as, in the judgment of the Secretary of Agriculture, are reasonably necessary to effectuate any of the provisions or to accomplish any of the purposes of this Act; and

(6) to communicate to the proper committee or officer of any contract market and to publish, notwithstanding the provisions of section 8 of this Act, the full facts concerning any transactions or market operation, including the names of parties thereto, which in the judgment of the Secretary of Agriculture disrupts or tends to disrupt any market or is otherwise harmful or against the best interests of producers and consumers.



84TH CONGRESS
1ST SESSION

S. 1051

[Report No. 39]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 1955

Mr. ELLENDER (by request) introduced the following bill; which was read twice
and referred to the Committee on Agriculture and Forestry

MARCH 2, 1955

Reported by Mr. ELLENDER, without amendment

A BILL

To amend section 8a (4) of the Commodity Exchange Act,
as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8a (4) of the Commodity Exchange Act, as
4 amended (7 U. S. C. 12a (4)), is amended to read as
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84TH CONGRESS
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S. 1051

[Report No. 39]

A BILL

To amend section 8a (4) of the Commodity
Exchange Act, as amended.

By Mr. ELLENDER

FEBRUARY 11, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 2, 1955

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 9, 1955
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84th-1st, No. 42

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HIGHLIGHTS: House committee ordered reported 90% price supports bill, with amendments to establish two-price wheat plan, provide 80-90% dairy price supports, extend brucellosis and school-lunch program. House committee reported CCC fungible goods claims bill. Sen. Ellender introduced bills to continue livestock loan program and to dispose of LU lands. Senate committee reported cotton allotment increase bill.

HOUSE

1. PRICE SUPPORTS. The Agriculture Committee ordered reported, by a vote 23 to 12, H. R. 12, to reestablish 90% price supports for basic commodities. The "Daily Digest" states that amendments were adopted which would make a part of the reported bill the provisions of H. R. 2598, as amended, to establish a two-price plan for wheat; provide for 80-90% price supports on dairy products, extend the brucellosis program, and extend the school-lunch program with appropriations therefor of \$75 million instead of \$50 million (p. D176).
2. CCC CLAIMS. The Agriculture Committee reported without amendment H. R. 1831, to amend the CCC Charter Act in order to protect innocent purchasers of fungible goods converted by warehousemen from CCC claims (H. Rept. 154)(p. 2141).
3. FORESTRY. The Interior and Insular Affairs Committee reported without amendment H. R. 4046, a bill to abolish the Old Kasaan National Monument, Alaska, and make the lands thereof a part of the Tongass National Forest (H. Rept. 155)(p. 2141).

4. ALASKA WATER RESOURCES. The Interior and Insular Affairs Committee passed over, without prejudice, H. R. 3990, to authorize the Secretary of the Interior to investigate and report to the Congress on projects for the conservation, development, and utilization of the water resources of Alaska (p. D177).
5. PERSONNEL. The Post Office and Civil Service Committee appointed a subcommittee (Rep. Dowdy, chrmn.) on H. R. 3948, to clarify the Federal Employees Uniform Allowance Act relative to enactment date (p. D177).
6. CONGRESSIONAL RECORD AND REPORTS. Rep. Patman urged improvement in the typography of committee reports and that the Congressional Record be printed in a more readable form, stated that "A suggestion that Congress should furnish every person receiving the Congressional Record with a reader's magnifying glass in order to protect his eyes would not be unreasonable," and inserted correspondence and statements on this subject (pp. 2127-8).
7. FORESTRY. Received an Ariz. Legislature memorial relative to timberland in the Coconino and Sitgreaves National Forests in Ariz. (p. 2144).
8. LANDS; MISSOURI BASIN. Received a S. Dak. Legislature memorial relative to the land-acquisition program in the Missouri River Basin (p. 2144).
9. PERSONNEL. Received a Little Rock, Ark., Corps of Engineers petition urging approval of a 10% pay increase for Federal employees (p. 2144).
10. ADJOURNED until Thurs., Mar. 10 (p. 2141).

SENATE

11. COMMODITY EXCHANGE FEES; ~~SURPLUS COMMODITIES; FARM CREDIT~~. Passed without amendment S. 1051, to amend Sec. 8A (4) of the Commodity Exchange Act so as to authorize increased fees and charges for CEA registrations and renewals thereof and for copies of registration certificates (p. 2106);
S. 942, to repeal Public Law 820, 80th Congress, which provides for a
12. revolving fund for purchase of agricultural commodities and raw materials to be processed in occupied areas and sold (p. 2105); and S. 941, to amend Sec. 13 of the Federal Farm Loan Act so as to authorize the Federal land banks to purchase certain remaining assets of the Federal Farm Mortgage Corporation (p. 2086).
12. COTTON ALLOTMENTS. The Agriculture and Forestry Committee reported with amendment H. R. 3952, to amend the Agricultural Adjustment Act of 1938 so as to provide for an increase in the 1955 national cotton acreage allotments of approximately 258,000 acres (S. Rept. 47)(p. 2073).
13. FOREST LANDS; MINERALS. At the request of Sen. Ellender, S. 687, to authorize the Secretary of Agriculture to protect timber and other surface values in national forests from invalid mining claims, was transferred from the Agriculture and Forestry Committee to the Interior and Insular Affairs Committee (p. 2079).
Received an Ariz. Legislature memorial favoring U. S. purchase of timberland in the Coconino and Sitgreaves national forests, Ariz., from the Aztec Land & Cattle Company (p. 2069).

S. 1051

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1955

Referred to the Committee on Agriculture

AN ACT

To amend section 8a (4) of the Commodity Exchange Act,
as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8a (4) of the Commodity Exchange Act, as
4 amended (7 U. S. C. 12a (4)), is amended to read as
5 follows:

6 “(4) to fix and establish from time to time reason-
7 able fees and charges for registrations and renewals
8 thereof and for copies of registration certificates; and”.

Passed the Senate March 8, 1955.

Attest:

FELTON M. JOHNSTON,

Secretary.

84TH CONGRESS
1ST SESSION

S. 1051

AN ACT

To amend section 8a (4) of the Commodity
Exchange Act, as amended.

MARCH 10, 1955

Referred to the Committee on Agriculture

when the necessary low-cost power can be assured.

Furthermore, under this system the Hungry Horse project provides financial aid for future reclamation projects in Montana, through its power revenues. We also see substantial benefits in flood control and navigation.

A large phosphate fertilizer plant which located in the western part of Montana, and which processes the raw phosphate rock by means of electric furnace treatment, came into my State because of the cheap power available and because the legislation authorizing Hungry Horse also took cognizance of the needs of an underdeveloped area and allocated a substantial block of power to aid its economy. This is important. Projects of this type benefit the immediate region as well as the surrounding regions and the whole Nation.

And before Hungry Horse had begun to produce hydroelectric energy, contracts for nearly all its firm power had been let to public groups, new industries and privately owned electric utilities. This illustrates perfectly the wisdom of a resource development policy and program which conceives that creating large blocks of low-cost power ahead of demand creates a demand which quickly absorbs it. In the general interest, we must resume such a program, for if the economy of the Nation is not constantly sustained and stimulated to further growth by new energy it will not continue to expand.

The Employment Act of 1946 of which I had the honor to be the original sponsor, has written into our economic system a policy which calls upon the Federal Government to provide, through cooperation of all governmental units, a constantly expanding economy, thus to attain maximum employment and high purchasing power throughout our Nation. I have used the Hungry Horse example, close to home in Montana, to illustrate how this has been done and how necessary it is that the Federal Government resume a rapid and orderly creation of new economic strength in regions by comprehensive development of certain key resources.

Here in the Northwest, between the States of Oregon and Idaho, the Snake River rushes with tremendous power through a massive canyon where walls of basalt rock have drawn together to provide a natural damsite which cries for development on a colossal scale. It is one of the last of the great natural damsites of this kind that is left in the land. If we in this body can see and understand what is required here to harness this great onrushing river on even a larger scale than Hungry Horse, we will exercise the wisdom and statesmanship our country demands and convert the wasted waters of Hells Canyon into one of the greatest economic assets of the Nation.

At Hells Canyon, just as at Hungry Horse, a huge storage reservoir will be created. It will be operated in coordination with other projects on the river to hold back water during flood stages to aid in protection against floods, and release it in dry months to firm-up the power production of the powerplants below and

also contribute to maintenance of navigation.

Hells Canyon, just as at Hungry Horse, will pool its great contribution of low-cost power with the Federal Columbia River power system. Over the regional gridback transmission lines, this energy will surge forth to the load centers for the use of industry, municipalities, public bodies, cooperatives, and privately owned electric utilities. The underdeveloped upstream areas of Idaho and eastern Oregon will be allocated a large amount of power attributable to Hells Canyon, which power will be available the year around. What happened in western Montana and the lower Columbia will be repeated in the Hells Canyon area, for low-cost power is a magnet constantly attracting new private enterprise; and this predominantly agricultural, lumbering, and mining community will be diversified by new year-around payrolls and employment which it so sorely needs.

In the West there are still untold opportunities for reclamation as population inexorably presses against available food supply. The power revenues from Hells Canyon project, aiding farmers in paying off costs of new projects beyond their ability to meet financially, will be a most important factor in this development.

Mr. President, I have mentioned the relationship between Hungry Horse and expansion of phosphatic fertilizer development. Hells Canyon is even more important in this regard because of its unique geographic location as the only large power producer within economic transmission distance of the phosphate rock reserves of eastern Idaho and contiguous States. From the Midwest to the Pacific coast, the effects of low-cost power upon full development of these reserves, the Nation's largest, will be felt by the agricultural economy. There will not only be greater use of phosphate fertilizers on the land to restore the needed ingredients taken from it by growing crops, but tremendous savings of millions of dollars every year to farmers in 17 States who will be able to purchase high-analysis fertilizer at lower freight and handling costs.

The issue at Hells Canyon is both simple and significant to the entire American people. I have shown how Hungry Horse, an accomplished fact, and Hells Canyon, which will be an accomplished fact, are basically identical in concept and planned use in controlling and using a river through upstream storage. The one difference is geographical location.

Hells Canyon will mean to the region and the Nation what Grand Coulee and Hungry Horse, the TVA, and other great public works, of the people for the people, have meant. Every drop of water in our rivers must be used over and over again until it reaches the sea. The planning of the extent and full range of uses must be comprehensive. Only in this way can we meet our grave responsibilities to the people of these regions and to the Nation, for these rivers belong to the people.

Mr. President, I urge that the Senate of the United States, which controls the future welfare of our country, realize

the significance of this important measure, both in its narrower and broader aspects, for indeed our action on this bill will involve important and far-reaching repercussions upon our future. For the general welfare of the region and for America, this bill should pass.

REPEAL OF PUBLIC LAW 820 REGARDING REVOLVING FUND FOR THE PURCHASE OF AGRICULTURAL COMMODITIES

Mr. STENNIS. Mr. President, the Senator from Indiana [Mr. CAPEHART] is prepared to speak at this time. However, if agreeable to him, I now wish to ask unanimous consent for the consideration of several bills which I believe will not involve debate.

Mr. CAPEHART. That will be satisfactory, if the bills will not involve debate.

Mr. THYE. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. THYE. Let me say that these bills, including Senate bill 941, which was passed earlier today, have been cleared with both the majority leader and the minority leader, and we know of no objection to the bills.

Mr. ELLENDER. Mr. President, the bills have been reported unanimously by the committee.

Mr. STENNIS. Mr. President, in line with the explanation just given, I ask unanimous consent for the present consideration of Senate bill 942, Calendar 41.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 942) to repeal Public Law 820, 80th Congress (62 Stat. 1098), entitled "An act to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ELLENDER. Mr. President, this bill would repeal the act providing a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas. Japan was the only occupied area to make use of this provision; and no purchases have been made since January 1950. There is no likelihood of its use by any area remaining occupied, and the Department of the Army has consequently requested its repeal.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 942) was ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That Public Law 820, 80th Congress (62 Stat. 1098), entitled "An act to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold," is hereby repealed.

SEC. 2. This act shall take effect on June 30, 1955.

AMENDMENT OF SECTION 8A (4) OF THE COMMODITY EXCHANGE ACT, AS AMENDED

Mr. STENNIS. Mr. President, in connection with the explanation given in regard to the Senate bills 941 and 942, I now request unanimous consent for the present consideration of Senate bill 1051, Calendar No. 42.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1051) to amend section 8a (4) of the Commodity Exchange Act, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ELLENDER. Mr. President, this bill would remove the limit of \$10 on fees for registration of commission merchants and floor brokers under the Commodity Exchange Act. It was requested by the Department of Agriculture and is identical to S. 3207 which the Senate passed late last session but which was not passed by the House.

The \$10 maximum registration fee was fixed in 1936 and is not now sufficient to cover the aggregate cost of registration activities under the act. In lieu of the \$10 limit the bill would provide for reasonable fees.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1051) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 8a (4) of the Commodity Exchange Act, as amended (7 U. S. C. 12a (4)), is amended to read as follows:

"(4) to fix and establish from time to time reasonable fees and charges for registrations and renewals thereof and for copies of registration certificates; and."

AUTHORIZATION FOR PERSONNEL OF ARMED FORCES TO PARTICIPATE IN THE SECOND PAN-AMERICAN GAMES

Mr. STENNIS. Mr. President, in line with the explanation given regarding the bills just acted upon, I now request unanimous consent for the present consideration of Senate bill 829, Calendar No. 49.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 829) to authorize personnel of the Armed Forces to train for, attend, and participate in the second pan-American games, the seventh Olympic winter games, games of the XVI Olympiad, future pan-American games and Olympic games, and certain other international amateur sports competitions, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had

been reported from the Committee on Armed Services with amendments, on page 2, after line 2, to strike out:

SEC. 2. (a) The Secretary concerned is authorized to permit personnel of the Armed Forces to train for, attend, and participate in the second pan-American games, the seventh Olympic winter games, the games of the XVI Olympiad, future pan-American games and Olympic games, and, if the Secretary of State determines that the interests of the United States will be served by participation therein, any other international amateur sports competition.

And in lieu thereof, to insert:

SEC. 2. (a) The Secretary concerned is authorized (1) to permit personnel of the Armed Forces to train for, attend, and participate in the second pan-American games, the seventh Olympic winter games, the games of the XVI Olympiad, future pan-American games, and Olympic games, and (2) subject to the limitation contained in subsection (b) herein, to permit personnel of the Armed Forces to train for, attend, and participate in other international amateur sports competition not specified in (1) above, if the Secretary of State determines that the interests of the United States will be served by participation therein.

(b) The Secretary of Defense shall, not later than 30 days prior to the commitment of personnel pursuant to the authority contained in subsection (a) (2) hereof, furnish to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the details of the proposed participation by personnel of the Armed Forces in international amateur sports competition.

On page 3, at the beginning of line 5, to strike out "(b) The", and insert, "(c) Subject to the limitations contained in section 3 of this act, the"; after line 12, to strike out:

SEC. 3. Appropriations available to the Department of Defense and the Department of the Treasury, as the case may be, may be utilized to carry out the purposes of this act.

And in lieu thereof, to insert:

SEC. 3. (a) There may be expended, for the participation of members of the Army, Navy, Air Force, and Marine Corps in the activities covered by this act, not more than \$800,000 during each 4-year period beginning on the date of enactment of this act, to be apportioned among the military departments as prescribed by the Secretary of Defense.

(b) There may be expended, for the participation of members of the Coast Guard in the activities covered by this act, not more than \$100,000 during each 4-year period beginning on the date of enactment of this act.

(c) Appropriations available to the Department of Defense and the Department of the Treasury, as the case may be, may be utilized to carry out the purposes of this act.

On page 4, line 9, after the word "naval", to strike out "activities.", and insert "activities".; and after line 9, to insert:

SEC. 5. Notwithstanding any other provision of law, (a) no member of the uniformed services shall be entitled to the travel or transportation allowances authorized by section 303 of the Career Compensation Act of 1949, as amended, for any period during which his expenses for travel or transportation are being paid by the agency sponsoring his participation in the games and competitions authorized by this act, and (b) no member of the uniformed services without dependents shall be entitled to receive the basic allowances for subsistence and quarters authorized by sections 301 and 302 of the Career Compensation Act of 1949, as amend-

ed, for any period during which such member is subsisted and quartered by the agency sponsoring his participation in the games and competitions as authorized by this act.

So as to make the bill read:

Be it enacted, etc., That the act of July 1, 1947 (Public Law 159, 80th Cong.; 61 Stat. 243), is hereby amended to read as follows: "That as used in this act, the term 'Secretary' means the Secretary of Defense, and, with respect to the Coast Guard when it is not operating as a part of the Navy, the Secretary of the Treasury, as the case may be.

"SEC. 2. (a) The Secretary concerned is authorized (1) to permit personnel of the Armed Forces to train for, attend, and participate in the Second Pan-American Games, the Seventh Olympic Winter Games, the Games of the XVI Olympiad, future Pan-American Games and Olympic Games, and (2) subject to the limitation contained in subsection (b) herein, to permit personnel of the Armed Forces to train for, attend, and participate in other international amateur sports competition not specified in (1) above, if the Secretary of State determines that the interests of the United States will be served by participation therein.

"(b) The Secretary of Defense shall, not later than 30 days prior to the commitment of personnel pursuant to the authority contained in subsection (a) (2) hereof, furnish to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the details of the proposed participation by personnel of the Armed Forces in international amateur sports competition.

"(c) Subject to the limitations contained in section 3 of this act, the Secretary concerned may spend such funds and acquire and utilize such supplies, materiel, and equipment as he determines to be necessary to provide training of personnel of the Armed Forces for such games, to provide for their attendance at and participation in such games, and for training of animals of the Armed Forces for, and their attendance at and participation in, such games.

"SEC. 3. (a) There may be expended, for the participation of members of the Army, Navy, Air Force, and Marine Corps in the activities covered by this act, not more than \$300,000 during each 4-year period beginning on the date of enactment of this act, to be apportioned among the military departments as prescribed by the Secretary of Defense.

"(b) There may be expended, for the participation of members of the Coast Guard in the activities covered by this act, not more than \$100,000 during each 4-year period beginning on the date of enactment of this act.

"(c) Appropriations available to the Department of Defense and the Department of the Treasury, as the case may be, may be utilized to carry out the purposes of this act.

"SEC. 4. Nothing in this act shall authorize the payment of allowances at rates in excess of those fixed for participation in other military or naval activities.

"SEC. 5. Notwithstanding any other provision of law, (a) no member of the uniformed services shall be entitled to the travel or transportation allowances authorized by section 303 of the Career Compensation Act of 1949, as amended, for any period during which his expenses for travel or transportation are being paid by the agency sponsoring his participation in the games and competitions authorized by this act, and (b) no member of the uniformed services without dependents shall be entitled to receive the basic allowances for subsistence and quarters authorized by sections 301 and 302 of the Career Compensation Act of 1949, as amended, for any period during which such member is subsisted and quartered by the agency sponsoring his participation in

July 25, 1955

15. MEXICAN FARM LABOR. Conferees were appointed on H. R. 3822, the Mexican farm labor bill (p. 9850). Senate conferees were appointed on July 22.
16. FOREIGN AID. Conferees were appointed on H. R. 7224, the Mutual Security Appropriation bill for 1956 (p. 9807). Senate conferees were appointed on July 22.
17. RESERVE FORCES. Agreed to the conference report on H. R. 7000, to provide for strengthening the Reserve Forces (pp. 9839-49).
18. COMMODITY EXCHANGES. The Agriculture Committee ordered reported S. 1051, to amend the Commodity Exchange Act regarding fees for registrations and renewals of certificates (p. D774).
19. RECLAMATION; ELECTRIFICATION. Rep. Hosmer spoke in opposition to the proposed upper Colorado storage project and cited Southern California's alleged water losses if the project is undertaken (pp. 9850-3).
20. SMALL BUSINESS. The Banking and Currency Committee reported with amendments S. 2127, to amend and extend the Small Business Act of 1953 (H. Rept. 1350) (p. 9863).
21. FOREIGN TRADE. The Public Works Committee reported without amendment H. R. 6769, to provide better facilities for the enforcement of the customs and immigration laws, and to increase the amounts authorized to be expended (H. Rept. 1395) (p. 9863).
22. ROADS. The Rules Committee reported a resolution for the consideration of H. R. 7474, the Federal-State highway construction bill (p. 9863). The resolution provides for 3 hours of general debate, and permits amendments to all parts of the bill except Sec. 4, which deals with the proposed tax increases.
23. RECLAMATION. The Aspinall subcommittee of the Interior and Insular Affairs Committee ordered reported the following bills to the full committee, July 23: H. R. 1603, to terminate the prohibition against employment of Mongolian labor in the construction of reclamation projects; H. R. 5169, to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District, N. Mex.; S. 180, to authorize construction, operation, and maintenance of the Washita River Basin reclamation project, Okla.; and reported without recommendation H. R. 5749, providing for Federal construction and operation of the Ainsworth unit of the Missouri River Basin project (to be held in full committee pending receipt of final project planning report); and reported with recommendation to table H. R. 310, to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Okla. (p. D775).

BILLS INTRODUCED

24. PERSONNEL. H. R. 7555, by Rep. Holifield, H. R. 7556, by Rep. Hope, H. R. 7577, by Rep. Davis, Tenn., and H. R. 7578, by Rep. Fascell, "to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended;" to Post Office and Civil Service Committee (pp. 9864, 9865).
S. 2628, by Sen. Johnston, S. C. (for himself and Sen. Carlson), to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies; to Post Office and Civil Service Committee (p. 9766).

25. RECLAMATION. H. R. 7548, by Rep. Baldwin, to authorize the construction of additional works for the extension of the Contra Costa Canal, a feature of the Central Valley project, California; to Interior and Insular Affairs Committee (p. 9864).
26. ELECTRIFICATION. H. R. 7554, by Rep. Hayworth, to promote the common defense and the general welfare of the people of the United States by encouraging maximum development of low-cost electric energy from all sources of power, including atomic energy, coal, oil, natural gas, and water; to Interstate and Foreign Commerce Committee (p. 9864).
27. PERSONNEL. H. R. 7562, by Rep. McDonough, "to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended;" to Post Office and Civil Service Committee (p. 9864).
28. VETERANS' BENEFITS. H. R. 7569, by Rep. Smith, Miss., to amend the Veterans' Readjustment Assistance Act of 1952 to provide education and training rights for persons who enlisted in the Armed Forces of the United States during January 1955, but who were not on active duty on January 31, 1955; to Veterans Affairs Committee (p. 9865).
29. WATER. H. R. 7570, by Rep. Smith, Miss., authorizing the Secretary of the Interior to make a comprehensive survey and study of the ground-water resources of the Mississippi Valley embayment area; to Interior and Insular Affairs Committee (p. 9865).
30. TOBACCO RESEARCH. H. J. Res 398, by Rep. Abbitt, directing a study and report by the Administrator of the Agricultural Research Service of the Department of Agriculture proposing an expansion of the tobacco production, utilization, and marketing research program, with primary emphasis on basic research; to Agriculture Committee (p. 9865).

ITEMS IN APPENDIX

31. RECLAMATION; ELECTRIFICATION. Speech in the House by Rep. Thomson, "yo., reply- ing to criticism of the upper Colorado River storage project by Leslie A. Miller, stating that "the project will pay for itself within 50 years" (pp. A5403-4).

Speech in the House by Rep. Dawson in favor of the upper Colorado project (p. A5404).

Rep. Dempsey called attention to an illustrated Time magazine article, "The American Desert, 1955;" which shows the effect of irrigation in reclaim- ing desert land, and inserted a letter of comment to the editor from a reader (p. A5426).

Rep. Dixon inserted a statement from the mining industry of the Northwest stating that water resources to be opened up by the upper Colorado project are needed to support mining development of that region (pp. A5435-6).

Speech in the House by Rep. Dixon citing a Supreme Court study which recommended against the upper Colorado basin States' being drawn into current litigation with Calif. (pp. A5436-7).

Extension of remarks of Rep. Metcalf supporting the upper Colorado proj- ect as the result of the elimination of Echo Park Dam from this project (p. A5446).

Sen. Thye inserted a Denver Post editorial commending the stand of Admin- istrator Nelsen in opposing recommendations of the Hoover Commission regarding REA (pp. A5426-7).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 27, 1955
For actions of July 26, 1955
84th-1st, No. 126

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For Highlights, see page 7.

HOUSE

- 1. SURPLUS COMMODITIES.** The Agriculture Committee reported without amendment S. 2253, to reemphasize trade development as the primary purpose of Title I of Public Law 480 and to increase the authorization of sales from \$700 million to \$1.5 billion (H. Rept. 1426) (p. 10016).

The conferees on H. R. 2851, to make agricultural commodities owned by the CCC available to persons in need in areas of acute distress, agreed to file a conference report (the House conferees agreed to accept the Senate amendments) (p. D787). Senate conferees had been appointed earlier in the day (p. 9873).
- 2. COMMODITY EXCHANGES.** The Agriculture Committee reported without amendment S. 1051, to amend Section 8a (4) of the Commodity Exchange Act by authorizing increases in the fees for registration and certification (H. Rept. 1425) (p. 10016).
- 3. FARM LABOR.** The conferees on H. R. 3822, to extend the Mexican farm-labor program, agreed to file a conference report (the Senate conferees receded from the Senate amendment) (p. D787). Senate conferees had been appointed earlier in the day (p. 9873).

4. RICE. The Thompson, Tex., subcommittee of the Agriculture Committee approved for reporting to the full committee H. R. 7367, "to provide that the 1956 national acreage allotment on rice shall be established which is less than 85% of the final allotment established for the immediately preceding year" (p. D784).
5. WATER POLLUTION. The Public Works Committee reported with amendments S. 890, to extend and strengthen the Water Pollution Control Act (H. Rept. 1446) (p. 10016).
6. DAIRY PRODUCTS; FARM PROGRAM. Rep. Johnson criticized the Administration for its alleged failure to aid the dairy farmer in a period of continued price spreads (pp. 9997-10004).
7. ROADS. Commenced debate on H. R. 7474, the Federal-aid highway construction bill. Rep. Dondero offered a substitute amendment in the form of H. R. 7494, and subsequently Rep. Thompson, La., offered the provisions of H. R. 7542 as an amendment to the amendment of Rep. Dondero. The amendment of Rep. Thompson La., was rejected and the amendment of Rep. Dondero was pending when the Committee of the Whole rose. (pp. 9945-90.)
8. GOVERNMENT SECURITY. Received the conference report on H. J. Res. 157, to establish a Commission on Government Security (H. Rept. 1407). (pp. 9941-2).
9. ELECTRIFICATION. Received a letter from the Chairman, Federal Power Commission relative to the following publications: Typical Electric Bills, 1955, and Statistics of Electric Utilities in the United States, Publicly Owned, 1953; referred to the Interstate and Foreign Commerce Committee (p. 10015).
10. RURAL ELECTRIFICATION. Received a report from the Comptroller General on the audit of REA for the fiscal years 1953 and 1954; referred to the Government Operations Committee (p. 10016).
11. RENTALS. Received a supplemental report from the Budget Bureau on activities under Budget Bureau Circular A-45, regulating rental rates for Federal employee quarters, for the year prior to November 1, 1954; referred to the Appropriations Committee (p. 10016).
12. LAND TRANSFER. The Public Works Committee reported without amendment H. R. 6634, to provide for the conveyance of 1.8 acres of land within the Grapevine Dam and Reservoir project to the city of Grapevine, Tex. (H. Rept. 1421) (p. 10016).
13. PERSONNEL. The House Administration Committee reported without amendment H. R. 3084, amending certain provisions of the laws relating to the prevention of political activities, to make them inapplicable to State officers and employees (H. Rept. 1424) (p. 10016).
14. FOREIGN AID. Rep. Gary resolved to maintain the \$628 million decrease in funds of the Mutual Security Appropriation Act for 1956 when the conferees meet (pp. 9933-4).
15. EDUCATION. The Education and Labor Committee reported with amendments H. R. 7245, providing assistance for local educational agencies in areas affected by Federal activities (H. Rept. 1441) (p. 10016).

COMMODITY EXCHANGE ACT REGISTRATION FEES

JULY 26, 1955.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture submitted the following

R E P O R T

[To accompany S. 1051]

The Committee on Agriculture, to whom was referred the bill (S. 1051) to amend section 8a (4) of the Commodity Exchange Act, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The Commodity Exchange Act requires that commission merchants and floor brokers, in order to be eligible to trade in futures contracts for agricultural commodities in regulated exchanges, must be registered with the Commodity Exchange Authority. It also authorizes the Secretary of Agriculture to register commission merchants and floor brokers and to charge for such registration a fee not in excess of \$10.

The purpose of the \$10 fee is to reimburse the Treasury for the aggregate cost of making the registration and issuing registration certificates, renewals, etc. At the time of enactment of the Commodity Exchange Act, a charge of \$10 was adequate to cover this service.

Since that time, the aggregate cost of this service has increased so that the \$10 fee is no longer adequate to cover the costs. This bill merely permits the Secretary of Agriculture to increase the fee in a reasonable amount so as to cover the cost of the service involved.

Enactment of this legislation was recommended by the Department of Agriculture in an executive communication which is attached.

DEPARTMENT OF AGRICULTURE,
 Washington, D. C., February 4, 1955.

The honorable the PRESIDENT OF THE SENATE.

DEAR MR. PRESIDENT: Transmitted herewith, for the consideration of the Congress, is a proposed bill to amend section 8a (4) of the Commodity Exchange Act, as amended, so as to authorize the Secretary of Agriculture to fix and estab-

lish reasonable fees for registration, renewals, and copies of registration certificates issued to futures commission merchants and floor brokers.

The present language of section 8a (4), enacted in 1936, authorizes a maximum registration fee of \$10, which is insufficient to recover the aggregate cost of registration activities under the Commodity Exchange Act. The proposed amendment would enable the Department of Agriculture to establish a schedule of fees and charges which, taking into account the value to the registrant and with due regard to the public interest, would recover to the fullest extent possible the aggregate cost of registration activities. Under present conditions it is anticipated that such an increase in fees would result in additional receipts of approximately \$11,000 annually.

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation to the Congress for its consideration.

A similar letter is being sent to the Speaker of the House of Representatives.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

SECTION 8a OF THE COMMODITY EXCHANGE ACT

SEC. 8a. The Secretary of Agriculture is authorized—

(1) to register futures commission merchants and floor brokers upon application in accordance with rules and regulations and in form and manner to be prescribed by the Secretary of Agriculture; and

(2) to refuse to register any person if such person has violated any of the provisions of this Act or any of the rules or regulations promulgated by the Secretary of Agriculture hereunder for which the registration of such person has been suspended (and the period of such suspension shall not have expired) or has been revoked; and

(3) to suspend or revoke the registration of any futures commission merchant who shall knowingly accept any order for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market from any person if such person has been denied trading privileges on any contract market by order of the Secretary of Agriculture under the provisions of paragraph (b) of section 6 of this Act and the period of denial specified in such order shall not have expired; and

(4) to fix and establish from time to time *reasonable* fees and charges for registrations and renewals thereof and for copies of registration certificates[, not to exceed \$10 for each such registration, renewal, or copy]; and

(5) to make and promulgate such rules and regulations as, in the judgment of the Secretary of Agriculture, are reasonably necessary to effectuate any of the provisions or to accomplish any of the purposes of this Act; and

(6) to communicate to the proper committee or officer of any contract market and to publish, notwithstanding the provisions of section 8, of this Act, the full facts concerning any transactions or market operation, including the names of parties thereto, which in the judgment of the Secretary of Agriculture disrupts or tends to disrupt any market or is otherwise harmful or against the best interests of producers and consumers.



Union Calendar No. 457

84TH CONGRESS
1ST SESSION

S. 1051

[Report No. 1425]

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1955

Referred to the Committee on Agriculture

JULY 26, 1955

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To amend section 8a (4) of the Commodity Exchange Act,
as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8a (4) of the Commodity Exchange Act, as
4 amended (7 U. S. C. 12a (4)), is amended to read as
5 follows:

6 “(4) to fix and establish from time to time reason-
7 able fees and charges for registrations and renewals
8 thereof and for copies of registration certificates; and”.

Passed the Senate March 8, 1955.

Attest:

FELTON M. JOHNSTON,

Secretary.

84TH CONGRESS
1ST SESSION

S. 1051

[Report No. 1425]

AN ACT

To amend section 8a (4) of the Commodity
Exchange Act, as amended.

MARCH 10, 1955

Referred to the Committee on Agriculture

JULY 26, 1955

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

July 29, 30, 1955

INTERGOVERNMENTAL RELATIONS. Sen. Butler inserted a newspaper article favoring Federal collaboration with State and local governments (p. A5627).

39. COOPERATIVES; TAXATION. Rep. Cooper inserted a letter from the Secretary of the Treasury suggesting that the legislation on income taxation of cooperatives be tightened (pp. A5632-3).

40. ELECTRIFICATION. Sen. Bender inserted an address by J. B. Black favoring a Government-private "partnership" in the power development of the West (pp. A5636-8).

BILLS INTRODUCED - July 29

41. CLAIMS; APPROPRIATIONS. S. 2678, by Sen. Smith, N. J., "relating to the payment of certain claims against the Government where the appropriations therefor have lapsed"; to Government Operations Committee (p. 10341). Remarks of author (pp. 10341-2).

42. MARKETING. S. 2634, by Sen. Ellender, "to facilitate the marketing of agricultural commodities"; to Agriculture and Forestry Committee (p. 10341).

43. ACCOUNTING. S. 2677, by Sen. Smith, N. J., "to relieve certain officers of financial liability except in cases of gross negligence or fraud"; to Government Operations Committee (p. 10341). Remarks of author (pp. 10341-2).

44. ROADS. H. R. 7729, by Rep. Dempsey, to authorize road appropriations; to Public Works Committee (p. 10466).

45. LAND TRANSFER. H. R. 7723, to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo.; to Agriculture Committee (p. 10466).

46. CONSERVATION. H. J. Res. 415-425, to provide for observance of the 50th anniversary of the founding of the conservation movement for natural resources; to Judiciary Committee (p. 10467).

47. PERSONNEL. H. J. Res. 426, by Rep. Moss, to authorize the President to proclaim as Civil Service Week the week beginning Jan. 17, 1956, in commemoration of the 73rd anniversary of the American civil-service system; to Judiciary Committee (p. 10467).

HOUSE - July 30

48. SOIL CONSERVATION. Passed without amendment S. 1167, to permit ACP payments to persons who carry out conservation practices on federally owned noncropland which directly conserve or benefit nearby or adjoining private lands of such persons (p. 10589). This bill will now be sent to the President.

Passed without amendment H. R. 7236, to permit approval of water conservation practices under ACP in any State instead of "in arid or semiarid sections" (p. 10592).

49. MARKETING. Passed with amendments H. R. 5337, to amend the Perishable Agricultural Commodities Act so as to strengthen the provisions relating to misbranding or misrepresentation of grade and origin of fresh fruits and vegetables, increase the maximum annual license fee from the present \$15 per year to \$25, permit the Secretary of Agriculture to deny issuance of a license to any person convicted of a felony in any State or Federal court, authorize the Secretary to

July 30, 1955

House

deny a license to any applicant who has been involved in bankruptcy proceedings within 3 years unless the applicant furnishes a bond or other assurance, empower the Secretary to suspend the license of a person who employs in any responsible position an individual whose license is under suspension, and provide authority for the inspection of any perishable commodity covered by the Act (pp. 10590-1).

Passed as reported S. 1757, to amend the Agricultural Marketing Act of 1946 so as to remove any question which may have resulted from a change in appropriation language as to the applicability of penalties for forgery of inspection certificates covering agricultural commodities, and to expand and tighten provisions for such penalties (p. 10607).

The Agriculture Committee reported without amendment H. R. 4054, to provide for loans for development of central market facilities to handle perishable agricultural commodities (H. Rept. 1602)(p. 10677).

50. FARM LOANS. Passed without amendment S. 1758, to amend the Bankhead-Jones Farm Tenant Act relating to the insurance of farm real estate mortgages so the mortgages can be made directly to the Government instead of to the banks (pp. 10593-4). This bill will now be sent to the President.

Passed as reported S. 1621, to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed under or subject to the Wheeler-Case Act of 1939 (p. 10655).

51. RESEARCH. Passed as reported S. 1759, to consolidate authorization legislation regarding Federal aid to State agricultural experiment stations (pp. 10594-6).

52. COMMODITY EXCHANGES. Passed without amendment S. 1051, to amend the Commodity Exchange Act so as to authorize increases in fees and charges for registration and renewals and for copies of registration certificates (p. 10601). This bill will now be sent to the President.

53. TRADE DEVELOPMENT. Passed without amendment S. 2253, to reemphasize trade development as the primary purpose of title I of Public Law 480, 83d Congress, to increase the funds available under that title from \$700 million to \$1.5 billion; and to authorize the Secretary of Agriculture to determine the nation with whom agreements will be negotiated, and the quantities and commodities involved (pp. 10601-2). This bill will now be sent to the President.

54. EXTENSION WORK. Passed as reported S. 2098, to authorize special appropriation for extension work among low-income farmers (pp. 10612-13).

55. DEFENSE PRODUCTION. Passed with amendment S. 2391, to amend and extend the Defense Production Act. Several amendments, to prohibit without-compensation employees, were rejected. House and Senate conferees were appointed. (pp. 10620-30, 10774-5).

56. SUGAR. Passed, 194 to 44, with amendments H. R. 7030, to amend and extend the Sugar Act of 1948 (pp. 10630-51). Agreed, 123-37, to an amendment by Rep. Dixon to strike out Sec. 20 of the committee version, which provides that sugar shall be supported at 90% of parity through loans, purchases, or other operations (pp. 10645-51). Agreed to an amendment by Rep. Laird to strike out provisions directed at Peru and the Philippines (pp. 10644-5).

57. SUPPLEMENTAL APPROPRIATION BILL, 1956. Both Houses agreed to the conference report on this bill, H. R. 7278, and acted upon amendments in disagreement (pp. 10554-9, 10733-5). This bill will now be sent to the President. A statement on the USDA items is attached to this Digest.

specifically and solely for the purpose of slum clearance and community redevelopment."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY CERTAIN WAR HOUSING PROJECTS TO NORFOLK, VA.

The Clerk called the bill (H. R. 7073) to authorize the conveyance of certain war-housing projects to the city of Norfolk, Va.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VANIK. Mr. Speaker, reserving the right to object, I would like to inquire of the author the purpose for which the housing project is contemplated to be used.

Mr. HARDY. Mr. Speaker, if the gentleman will yield, the area will eventually be used by the city of Norfolk for industrial development, small business, small industry, as soon as the housing is removed from the site.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VANIK. I object, Mr. Speaker.

BENEFITS FOR CADETS AND MIDSHIPMEN

The Clerk called the bill (H. R. 5055) to provide that service of cadets and midshipmen at the service Academies during specified periods shall be considered active military or naval wartime service for the purposes of laws administered by the Veterans' Administration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if the gentleman would explain the necessity for this legislation.

Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMEND VITALIZATION AND RETIREMENT EQUALIZATION ACT

The Clerk called the bill (H. R. 5516) to amend section 306 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide that service as an Army field clerk or as a field clerk, Quartermaster Corps, shall be counted for purposes of retirement under title III of that act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 306 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 is hereby amended by adding at the end thereof the following:

"SEC. 3. Section 306 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 is hereby further amended by adding at the end thereof the following:

"(g) Service as an Army field clerk or as a field clerk, Quartermaster Corps, shall be deemed to have been active Federal service in the Army of the United States in the grade of warrant officer as provided in the act of April 27, 1926 (44 Stat. 328)."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That subsection 302 (a), Army and Air Force Vitalization and Retirement Equalization Act of 1948 (62 Stat. 1087), as amended (10 U. S. C. 1036a (a)), is further amended by inserting the words 'Army field clerk, field clerk, Quartermaster Corps,' after the words 'flight officer,' and by inserting the following additional proviso after the words 'December 31, 1946': 'And provided further, That for the purposes of this section, all periods of classified field service as an Army headquarters clerk or as a clerk of the Army Quartermaster Corps under laws in effect prior to August 29, 1916, shall, in the case of warrant officers, be considered as satisfactory Federal service performed in the status of a warrant officer.'

"Sec. 2. No person shall, by virtue of section 1, be entitled to retired pay for any period prior to the effective date of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide that service as an Army field clerk, or as a field clerk, Quartermaster Corps, shall be counted for purposes of retirement under title III of that act, and for other purposes."

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN RURAL CARRIERS

The Clerk called the bill (H. R. 6622) for the relief of certain rural carriers.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each rural carrier who served a heavily patronized route during the period between November 1, 1949, and February 16, 1955, and who, as a result of administrative application of section 5 of the act of May 3, 1950 (64 Stat. 101), has received during such period total compensation in excess of the amount authorized under section 17 (d) of the act of July 1, 1945, as amended (sec. 867 (d) of title 39, U. S. C.), is hereby relieved of all liability to refund to the United States the sum representing the difference between the amount of total compensation allowable under section 17 (d) of the act of July 1, 1945, as amended, and the amount of total compensation paid the carrier during such period.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATE PAYMENTS OF MILEAGE MADE

The Clerk called the bill (H. R. 7121) to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change of station order authorizing travel by commercial aircraft, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all payments of mileage made to United States Army and Air Force personnel in accordance with Department of the Army and Department of the Air Force instructions during the period January 1, 1950, through March 31, 1951, inclusive, for travel performed by commercial aircraft pursuant to permanent change of station orders authorizing travel by commercial aircraft, except those for which repayment has been effected, be validated notwithstanding the provisions of section 12 of the Pay Readjustment Act of 1942 (56 Stat. 364), as amended by section 203 of the act of August 2, 1946 (60 Stat. 859), in effect when the travel involved was performed.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve disbursing officers, including special disbursing agents, of the Army and the Air Force from accountability or responsibility for any payments validated by this act, and shall allow credits in the settlement of the accounts of such officers or agents for such payments which appear to be free from fraud or collusion.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMODITY EXCHANGE ACT REGISTRATION FEES

The Clerk called the bill (S. 1051) to amend section 8a (4) of the Commodity Exchange Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 8a (4) of the Commodity Exchange Act, as amended (7 U. S. C. 12a (4)), is amended to read as follows:

"(4) to fix and establish from time to time reasonable fees and charges for registrations and renewals thereof and for copies of registration certificates; and"

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRADE DEVELOPMENT

The Clerk called the bill (S. 2253) to reemphasize trade development as the primary purpose of title I of the Agricultural Trade Development and Assistance Act of 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 103 (b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out "\$700,000,000" and inserting in lieu thereof "\$1,500,000,000. This limitation shall not be apportioned by year or by country, but shall be considered as an objective as well as

a limitation, to be reached as rapidly as possible so long as the purposes of this act can be achieved within the safeguards established."

SEC. 2. Section 106 of such act is amended by adding the following: "The Secretary of Agriculture is also authorized to determine the nations with whom agreements shall be negotiated, and to determine the commodities and quantities thereof which may be included in the negotiations with each country after advising with other agencies of Government affected and within broad policies laid down by the President for implementing this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INVENTIVE CONTRIBUTIONS AWARDS BOARD

The Clerk called the bill (H. R. 2383) to authorize the establishment of an Inventive Contributions Awards Board within the Department of Defense, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Inventive Contributions Awards Act of 1955."

DECLARATION OF POLICY

SEC. 2. It is the purpose of this act to foster invention for national defense through the establishment within the Department of Defense of an Inventive Contributions Awards Board which shall be authorized to recommend to the Secretary the making of such awards, to be known as national defense awards, as it shall consider just for meritorious inventions contributing to the national defense.

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "contribution" means any inventive contribution which is used in the national defense of the United States, and which is not subject to the provisions of the Atomic Energy Act of 1946.

(b) The term "contributor" means any natural person who has made an inventive contribution.

(c) The term "the Department" shall mean the Department of Defense, and the term "Secretary" shall mean the Secretary of Defense.

(d) The term "defense agency" means the Department, or any other department, agency, or independent establishment in the executive branch of the Government (except the Atomic Energy Commission), or any wholly owned Government corporation, designated by the President as a defense agency for the purposes of this act.

(e) The term "Board" means the Inventive Contributions Awards Board established pursuant to section 5 of this act.

(f) The term "award" means a national defense award authorized by section 4 of this act.

(g) The term "communication" shall mean either a disclosure in writing or a submission of a physical embodiment of the contribution.

(h) The term "national defense" shall include the program provided for in the Mutual Security Act of 1951, as amended, and the Mutual Defense Assistance Act of 1949, as amended.

NATIONAL DEFENSE AWARDS

SEC. 4. Any law to the contrary notwithstanding, whenever any contributor has directly or indirectly communicated his contribution to any defense agency, and any such agency in consequence of such communication has used or caused to be used

such contribution, the Secretary, upon the recommendation of the Board, may make a national defense award to such contributor or his heirs in such amount, and subject to such terms and conditions, as the Board shall determine in conformity with the provisions of this act to be a proper award for the use thereof.

INVENTIVE CONTRIBUTIONS AWARDS BOARD

SEC. 5. (a) The Secretary is authorized to establish within the Department an Inventive Contributions Awards Board which shall be composed of not more than 15 members appointed by the President, by and with the advice and consent of the Senate, for such term or terms as he may specify, from individuals in civil life who are eminent in one or more of the following fields of activity: Invention, science, research, development, and patent law. A quorum of the Board shall meet at such times as the Secretary may specify to consider applications made pursuant to section 6 of this act for awards. Five members shall constitute a quorum of the Board.

(b) From funds available for such purposes, each member shall receive compensation at the rate of \$50 for each day of his attendance at meetings of the Board, and shall be reimbursed for all travel expenses actually incurred by him in the performance of his duties as a member of the Board: *Provided*, That the provisions of title 18, United States Code, section 281, shall not apply to the members of this Board and that appointments may be made without regard to the requirements of the Civil Service Retirement Act.

(c) The Board shall perform the duties required of it by section 6 of this act. The Secretary shall provide the Board with such personnel and facilities as he may determine to be required by the Board for the performance of its functions.

(d) The Board, subject to approval by the Secretary, may promulgate such rules and regulations, not inconsistent with this act, as may be required for the performance of its duties hereunder.

APPLICATION FOR AWARDS AND PROCEEDINGS THEREON

SEC. 6. Any contributor may file with the Secretary an application for an award under section 4 of this Act, or be recommended for an award by the head of any defense agency. Such application or recommendation may be filed upon information and belief, and shall contain a statement concerning—

- (1) the nature of such contribution;
- (2) the ownership thereof;
- (3) the date and manner of its communication to any defense agency;
- (4) the nature and extent of the compensation received by such contributor from the United States in connection with the contribution;
- (5) the nature and extent of the award for which application or recommendation is made pursuant to this act; and
- (6) such other information as the Board shall prescribe by its rules.

(b) Each application or recommendation so filed shall be transmitted to the Board which, subject to the provisions of this act, shall determine the questions presented by such application, and shall make and transmit to the Secretary a report thereon in which the Board shall set forth—

- (1) its findings of fact;
- (2) its conclusions and recommendations on the question whether the contributor is entitled to an award under this act; and
- (3) the terms and conditions upon which any such award should be made.

DETERMINATION OF ELIGIBILITY FOR AWARDS AND QUANTUM THEREOF

SEC. 7. (a) In any proceeding under this act, the contributor shall bear the burden of establishing the communication of the con-

tribution in question, except that the submission of a contribution to the National Inventors Council and by that council to a defense agency shall constitute proof of communication.

(b) In any proceeding under this act if the Board finds that the contributor communicated the contribution and as a result thereof it was used, the Board may recommend an award, and payment thereof in a lump sum or in periodic installments.

(c) In determining the amount of any such award consideration shall be given to—

- (1) the novelty, originality, and utility of the contribution;
- (2) the extent to which such development was made at the expense of the contributor, and the extent to which such development was made at the expense of the United States;

(3) the extent to which the contributor has benefited, will benefit, or reasonably can be expected to benefit through the commercial exploitation of such contribution;

(4) the extent to which the contributor has been denied the benefits of commercial exploitation of such contribution in consequence of any secrecy restrictions imposed by the United States; and

(5) the extent to which the contributor has been compensated for said contribution by the United States.

(d) If, in any proceeding under this act, it shall appear to the Board that more than one contributor is entitled to compensation with respect to the same contribution, the Board shall ascertain and determine the interests of each such contributor and shall recommend the division of the award, in such proportions as it shall deem equitable, among all persons whom it shall find to be entitled to share therein.

(e) A contributor shall not be barred from eligibility for an award on the ground that he has given the Government a license under his invention either with or without receipt of cash consideration or by virtue of the fact that the Government claims an equitable license under his invention.

PAYMENT OF AWARDS

SEC. 8. (a) Any award made pursuant to this act may be paid in a single payment or by such periodic payments as the Board may recommend.

(b) Awards so made shall be paid from funds appropriated to the defense agency principally interested in the contribution for which such award is made, as determined by the Board, and may be paid from any funds appropriated to such agency which are available for the procurement of equipment or supplies incorporating such contribution or resulting from the practice of such contribution. If the head of the defense agency concerned certifies that funds are not available to such agency for the payment of any such award, the Secretary shall include in his budget estimate for the Department for the next fiscal year an appropriate item for the payment of such award.

(c) No award shall be paid under this act to any contributor or with respect to any contribution in any amount exceeding \$75,000 until such award has been transmitted to and approved by the Congress. The approval of the Congress to any such award shall be deemed to have been granted upon the expiration of the first period of 6 months of continuous session of the Congress following the date on which such award is transmitted to it for approval, but only if prior to the expiration of such period there has not been passed a concurrent resolution disapproving such award or approving such award in a reduced amount or subject to different conditions. If within such period any such resolution is passed authorizing payment of such award in a reduced amount or subject to different conditions,

Public Law 248 - 84th Congress

Chapter 574 - 1st Session

S. 1051

AN ACT

All 69 Stat. 535.

To amend section 8a (4) of the Commodity Exchange Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8a (4) of the Commodity Exchange Act, as amended (7 U. S. C. 12a (4)), is amended to read as follows:

“(4) to fix and establish from time to time reasonable fees and charges for registrations and renewals thereof and for copies of registration certificates; and”.

Approved August 5, 1955.

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